

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN**

Applicant or Patentee: James G. Keck, Jocelyn M. Molony, and Sophia S. Kuo

Application or Patent No.: \_\_\_\_\_  
(not yet known)

Filed or Issued: (submitted herewith)

Title: NON-BACTERIAL CLONING IN DELIVERY AND EXPRESSION OF NUCLEIC ACIDS

I hereby declare that I am:



the owner of the small business concern identified below:  
an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: GeneTrace Systems, Inc.

Address of Small Business Concern: 1401 Harbor Bay Parkway, Alameda, CA 94502

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **NON-BACTERIAL CLONING IN DELIVERY AND EXPRESSION OF NUCLEIC ACIDS** by inventor(s): **James G. Keck, Jocelyn M. Molony, and Sophia S. Kuo** described in:



the specification filed herewith.  
Application No. \_\_\_\_\_, filed \_\_\_\_\_  
Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name \_\_\_\_\_  
Address \_\_\_\_\_

Individual     Small Business Concern     Nonprofit Organization

Name \_\_\_\_\_  
Address \_\_\_\_\_

Individual     Small Business Concern     Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: GEORGE LAMOTTE  
Title of Person if Other than Owner: CHIEF EXECUTIVE OFFICER  
Address of Person Signing: 1401 Harbor Bay Parkway, Alameda, CA 94502

Signature \_\_\_\_\_

Date

7/15/10

## DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **NON-BACTERIAL CLONING IN DELIVERY AND EXPRESSION OF NUCLEIC ACIDS** the specification of which X is attached hereto was filed on December 18, 1998 as International Application No. PCT/US98/27942.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

### Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
IN	2828/MAS/98	December 18, 1998	Yes

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
08/995,234	December 19, 1997	Pending
09/200,013	November 25, 1998	Pending
09/199,522	November 25, 1998	Pending
PCT/US98/27942	December 18, 1998	N/A

Full Name of Inventor 1:	Full Name: <u>James G. Keck</u>		
Residence & Citizenship:	City: <u>Redwood City</u>	State/Foreign Country: <u>California</u>	Country of Citizenship: <u>US</u>
Post Office Address:	Post Office Address: <u>617 Harbor Colony Court, Redwood City, CA 94065</u>		
Full Name of Inventor 2:	Full Name: <u>Molony, Jocelyn M.</u>		
Residence & Citizenship:	City: <u>Castro Valley</u>	State/Foreign Country: <u>California</u>	Country of Citizenship: <u>US</u>
Post Office Address:	Post Office Address: <u>18691 West Cavendish Drive, Castro Valley, CA 94552</u>		
Full Name of Inventor 3:	Full Name: <u>Kuo, Sophia S.</u>		
Residence & Citizenship:	City: <u>San Francisco</u>	State/Foreign Country: <u>CA</u>	Country of Citizenship: <u>US</u>
Post Office Address:	Post Office Address: <u>59 Surrey Street #3, San Francisco, CA 94131</u>		

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
 James G. Keck	 Jocelyn M. Molony	 Sophia S. Kuo
Date 8-4-00	Date 24 JULY 2000	Date

Full Name of Inventor 1:	Full Name: <b>James G. Keck</b>		
Residence & Citizenship:	City: <b>Redwood City</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>US</b>
Post Office Address:	Post Office Address: <b>617 Harbor Colony Court, Redwood City, CA 94065</b>		
Full Name of Inventor 2:	<b>Molony, Jocelyn M.</b>		
Residence & Citizenship:	City: <b>Castro Valley</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>US</b>
Post Office Address:	Post Office Address: <b>18691 West Cavendish Drive, Castro Valley, CA 94552</b>		
Full Name of Inventor 3:	Full Name: <b>Kuo, Sophia S.</b>		
Residence & Citizenship:	City: <b>San Francisco</b>	State/Foreign Country: <b>CA</b>	Country of Citizenship: <b>US</b>
Post Office Address:	Post Office Address: <b>59 Surrey Street #3, San Francisco, CA 94131</b>		

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Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
<u>James G. Keck</u>	<u>Jocelyn M. Molony</u>	<u>Sophia S. Kuo</u>
Date	Date	Date <u>7/31/00</u>